

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

DAMON SCOTT,

Petitioner,

-against-

MICHAEL CAPRA,

Respondent.

ORDER

23 Civ. 3923 (KMK) (AEK)

THE HONORABLE ANDREW E. KRAUSE, U.S.M.J.

Following the receipt of Respondent's status update letter filed on January 7, 2025, ECF No. 21, the Court received a copy of Petitioner's motion for an extension of time for seeking leave to appeal the denial of his § 440.10 motion. ECF No. 22. The motion appears to have been placed in the mail for filing in the New York State Appellate Division, Second Department on December 10, 2024. *See id.*

The Court therefore directs Respondent to file a letter **by no later than February 7, 2025**, providing the Court with a status update regarding Petitioner's motion for an extension of time to seek leave to appeal. In the interim, this matter remains stayed; a further briefing schedule will be put in place once Petitioner's additional claims have been exhausted.

The Clerk of Court is respectfully directed to mail a copy of this order to the *pro se* Petitioner.

Dated: January 8, 2025
White Plains, New York

SO ORDERED.



ANDREW E. KRAUSE

United States Magistrate Judge